

Mark C. Dosker (State Bar # 114789)  
Nathan Lane, III (State Bar # 50961)  
SQUIRE PATTON BOGGS (US) LLP  
275 Battery Street, Suite 2600  
San Francisco, CA 94111  
Telephone: 415.954.0200  
Facsimile: 415.393.9887  
Email: [mark.dosker@squirepb.com](mailto:mark.dosker@squirepb.com)  
[nathan.lane@squirepb.com](mailto:nathan.lane@squirepb.com)

Attorneys for Defendant  
Technologies Displays Americas LLC with respect to all cases  
except *Office Depot, Inc. v. Technicolor SA, et al.* and  
*Sears, Roebuck and Co., et al. v. Technicolor SA, et al.*  
(additional counsel on last page)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

# **In re CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION**

Master File No. 3:07-CV-5944-SC  
MDL No. 1917

This Document Relates to  
*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05264;  
*Costco Wholesale Corporation v. Technicolor SA, et al.*, No. 13-cv-005723;  
*Crago, d/b/a Dash Computers, Inc., et al., v. Mitsubishi Electric Corporation, et al.*, No. 14-cv-02058;  
*Electrograph Systems, Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05724;  
*Interbond Corporation of America v. Technicolor SA, et al.*, No. 13-cv-05727;  
*Office Depot, Inc. v. Technicolor SA, et al.*, No. 13-cv-05726;  
*P.C. Richard & Son Long Island Corporation, et al. v. Technicolor SA, et al.*, No. 13-cv-05725;  
*Schultze Agency Services, LLC v. Technicolor SA, et al.*, No. 13-cv-05668;  
*Sears, Roebuck and Co., et al. v. Technicolor SA, et al.*, No. 13-cv-05262;  
*Sharp Electronics Corp., et al. v. Hitachi, Ltd., et al.*, No. 13-cv-01173;  
*Siegel v. Technicolor SA, et al.*, No. 13-cv-05261;  
*Target Corp., v. Technicolor SA, et al.*, No. 13-cv-05686.

**DECLARATION OF ALBINO BESSA IN  
SUPPORT OF DEFENDANT  
TECHNOLOGIES DISPLAYS AMERICAS  
LLC'S MOTION FOR SUMMARY  
JUDGMENT**

1       1. I am the President and sole employee of Technologies Displays Americas LLC  
 2 ("TDA"). I have been employed by TDA since approximately October 2006. Prior to that time I  
 3 was employed by one or more Thomson companies (the Thomson group of companies are  
 4 collectively referred to in this Declaration as "Thomson") as an engineer and manager in  
 5 Thomson's cathode ray tube ("CRT") manufacturing facilities in Lancaster, Pennsylvania and  
 6 Marion, Indiana, and in Thomson Displays Mexicana, S.A. de C.V.'s ("TDM") manufacturing  
 7 facility in Mexicali, Mexico. Before the CRT business was shut down (as discussed below), all of  
 8 my work for these companies was in the manufacturing portion of the business. On or about  
 9 October 29, 2007 I became the President of TDA and have been its sole employee since  
 10 approximately June of 2008.

11      2. TDA is a Delaware limited liability company that was formed on or about July 12,  
 12 2005. TDA was formed by Thomson, it was originally named Thomson Displays Americas, LLC,  
 13 and its name was changed to Technologies Displays Americas LLC on or about October 11, 2006.

14      3. At the time of its formation in July 2005, TDA did not have any operations or  
 15 assets. In the fall of 2005, Thomson transferred a portion of its North American CRT business to  
 16 TDA. The assets transferred to TDA included CRT and raw material inventory, certain contracts  
 17 and contract rights, and an office lease in San Diego, California.

18      4. At the time of its formation, TDA was owned by Thomson. In the fall of 2005,  
 19 Eagle Corporation Limited ("Eagle"), a Cayman Islands corporation, became the owner of TDA.

20      5. In the fall of 2005, when TDA acquired certain of Thomson's North American  
 21 tube operations and began its own CRT business operation, some of the employees of the former  
 22 Thomson CRT business in North America became employees of TDA. These TDA employees  
 23 included some former Thompson CRT sales personnel located in the Thomson San Diego office.  
 24 Jack Brunk, formerly a Thomson employee, became a sales manager for TDA in the fall of 2005  
 25 and was employed by TDA until he resigned as of July 31, 2006. J.P. Hanrahan never was  
 employed by TDA.

26      6. Beginning in the fall of 2005, TDA's business included the sale to customers in the  
 27 United States and in some other countries of CRTs manufactured by TDM in Mexicali, Mexico,  
 28 under a *maquiladora* arrangement. TDM had two CRT production lines in its Mexicali plant to

1 manufacture CRTs for TDA to sell to its customers. In approximately April 2006 one of the two  
 2 lines was shut down, and in approximately May 2007 the other CRT manufacturing line at TDM  
 3 was shut down, so that CRT manufacturing ended. TDA ceased selling CRTs and shut down its  
 4 CRT business entirely in the spring of 2008. The last purchase orders for United States CRT sales  
 5 were dated May 20, 2008. After the manufacturing lines were shut down in approximately May  
 6 2007, TDA sold CRTs from inventory.

7. TDA sold only color picture tubes, also known as cathode picture tubes, ("CPTs"),  
 8 which are used primarily in televisions. TDA did not sell color display tubes, also known as  
 9 cathode display tubes, ("CDTs"), which are used in computer monitors. Thus, all of TDA's CRT  
 10 sales were of color picture tubes.

11. TDA did not manufacture or sell finished products containing CRTs, such as  
 12 televisions or computer monitors. TDA sold CRTs to television manufacturers for use in  
 13 television sets and sold a small number of CRTs to videogame manufacturers. TDA did not sell  
 14 television sets in the United States, and did not at any time sell CRTs to department stores,  
 15 electronics stores, or other retail stores. TDA never sold CRTs to any of the Plaintiffs in the  
 16 Best Buy, Costco, Crago, Electrograph Systems, Interbond, Office Depot, P.C. Richard, Schultz,  
 17 Sears, Siegel, or Target lawsuits.

18. TDA has not been in the CRT business related to the United States market since it  
 19 shipped the CRTs covered by the May 20, 2008 purchase orders. All of the TDA employees  
 20 involved in the sales of CRT were laid off or otherwise had their employment terminated by the  
 21 spring of 2008. The TDM CRT manufacturing facility in Mexicali, Mexico was also permanently  
 22 shut down at that time.

23. TDA left its San Diego location when its lease expired in April of 2008 and moved  
 24 to a small office on Carr Road in Calexico, California. TDA has since moved to another small  
 25 office on Carr Road in Calexico, California. TDA's only offices since TDA was formed in 2005  
 26 are these offices in San Diego and Calexico, California.

27. TDA does not have and, since it began its CRT business in the fall of 2005, has not  
 28 had any office, real property, manufacturing or sales facility, bank account, mailing address,  
 telephone listing, or employees in Arizona, Florida, Illinois, Iowa, Kansas, Massachusetts,

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Declaration of Albino Bessa in Support of TDA's Motion for Summary Judgment  
 Master Case No. 07-CV-5944-SC

1 Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Mexico, New York, North Carolina,  
 2 Washington or Wisconsin. TDA is not and was never qualified to do business in any of these  
 3 states. Except for a small number of sales to a videogame manufacturer in Illinois, TDA never  
 4 sold CRTs in any of these states.

5       12. TDA's primary current business is, and for a number of years has been, collecting  
 6 used television and computer monitor glass for recycling. The glass collected is sent to be  
 7 processed by TDM in Mexico, and the clean glass cullet is shipped overseas for recycling.

8       13. I first learned of the CRT antitrust litigation in March or April of 2013. TDA was  
 9 not aware of the CRT antitrust litigation, had not been named as a party in any CRT antitrust  
 10 lawsuit, had not received any discovery request in connection with the CRT litigation, and had not  
 11 received any information request regarding the CRT business from any United States government  
 12 agency or body prior to March 2013, when TDA was served with the Complaint in *Sharp*  
*13 Electronics Corp. v. Hitachi, Ltd., et al.*, Case No. 13-cv-01173.

14       14. TDA has retained some records from its CRT business pertaining to the period  
 15 from late 2005 to 2008. TDA also has retained some records from the former Thomson CRT  
 16 operations which were left in the office in San Diego which TDA took over in the fall of 2005.

17       15. I reviewed TDA's records regarding its CRT business operations and found no  
 18 record that any TDA employee ever attended any meeting with TDA competitors to discuss, fix,  
 19 raise or maintain CRT prices, or that TDA ever agreed with competitors to fix, raise or maintain  
 CRT prices.

20       16. TDA has no records or documents of any kind showing any awareness by TDA of  
 21 a CRT price-fixing arrangement among CRT competitors, indicating any agreement by TDA to  
 22 participate in any such agreement, arrangement, or conspiracy, or showing any meeting or other  
 23 communication between any TDA employee and any competitor with regard to fixing or  
 24 establishing prices, limiting production, or any other activity asserted by Plaintiffs as a basis for  
 25 their claims in the CRT litigation. To the best of TDA's knowledge, TDA did not participate in  
 26 any such agreement, arrangement, conspiracy, or communications.

27       / / /

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Declaration of Albino Bessa in Support of TDA's Motion for Summary Judgment  
 Master Case No. 07-CV-5944-SC

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
2 November 7, 2014 in Calexico, California.

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4 Albino Bessa

5  
6 Additional counsel:

7 Donald A. Wall (*Pro Hac Vice*)  
8 SQUIRE PATTON BOGGS (US) LLP  
9 1 East Washington Street, Suite 2700  
Phoenix, Arizona 85004  
Telephone: 602.528. 4000  
Facsimile: 602.253.8129  
Email: [donald.wall@squirepb.com](mailto:donald.wall@squirepb.com)

11 Attorneys for Defendant  
12 Technologies Displays Americas LLC with respect to all  
cases except *Office Depot, Inc. v. Technicolor SA, et al.*  
13 and *Sears, Roebuck and Co., et al. v. Technicolor SA, et al.*

14 Jeffrey I. Zuckerman (*Pro Hac Vice*)  
Ellen Tobin (*Pro Hac Vice*)  
15 CURTIS, MALLET-PREVOST, COLT & MOSLE LLP  
101 Park Avenue  
16 New York, New York 10178  
Telephone: 212.696.6000  
Facsimile: 212.697.1559  
Email: [jzuckerman@curtis.com](mailto:jzuckerman@curtis.com)  
[etobin@curtis.com](mailto:etobin@curtis.com)

19 Arthur Gaus (State Bar # 289560)  
DILLINGHAM & MURPHY, LLP  
20 601 California Street, Suite 1900  
San Francisco, California 94108  
Telephone: 415.397.2700  
Facsimile: 415.397-3300  
Email: [asg@dillinghammurphy.com](mailto:asg@dillinghammurphy.com)

23 Attorneys for Defendant  
24 Technologies Displays Americas LLC with respect to  
*Office Depot, Inc. v. Technicolor SA, et al.* and  
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